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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DWAYNE A. HORVATH

Serial No. 10/763,906

Filing Date: January 23, 2004

For: SIMULATED EDGED WEAPON OR TOY WITH ELEMENT ACTUATED
INDICATING DEVICE.

Examiner: EVAN R. PAGE

Group Art Unit 3714

Confirmation No. 7751

Docket No. Horvath Dwayne

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Non-Compliant Amendment,

This paper is filed in response to the office action of 9/10/ 2008

Please amend the above application as follows:

A new copy of Amendment A is submitted with **Remarks** on page 7 being moved to a separate page 8 as required by 37 CFR 1.21.



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CERTIFICATE OF MAILING

I hereby certify that this correspondence, and attachments, if any, will be deposited with the United States Postal Service Pittstown NJ 08867 by First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendments, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450 on the date below.

Date: September 30, 2008

Dwayne A Horvath